

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN THE MATTER OF:

Chapter 13

Calvin C. Riley,

Case No. 07-07427

Debtor(s).

Honorable Bruce W. Black

**RESPONSE TO TRUSTEE'S NOTICE OF PAYMENT OF FINAL
MORTGAGE CURE AMOUNT UNDER PARAGRAPH (B)(2)(b) OF PLAN**

NOW COMES Bayview Loan Servicing, LLC (hereinafter "Bayview"), by and through its attorneys, Heavner, Scott, Beyers and Mihlar, LLC, and for its Response to Trustee's Notice of Payment of Final Mortgage Cure Amount Under Paragraph (B)(2)(b), states as follows:

1. On or about May 7, 2007, Bayview filed its Proof of Claim as Claim Number 1 for a sum of \$8,344.02 in pre-petition arrears.
2. The Debtor's Modified Chapter 13 Plan filed on July 26, 2007 and confirmed on August 30, 2007 set-forth a pre-petition arrearage amount owed to Bayview \$8,344.02.
3. Bayview's pre-petition arrears of \$8,344.02 were paid by the Chapter 13 Trustee in full.
4. The Debtor's post-petition payments to Bayview were to be paid by the Debtor directly "outside" of the plan.
5. The Debtor is currently due for the 2006 real estate taxes in the amount of \$811.39 paid by Bayview. In addition, the Debtor is due for prior foreclosure fee and costs in the amount of \$1,003.34 owed to Bayview that were not included in the pre-petition arrearage.

-2-

WHEREFORE, Bayview Loan Servicing, LLC prays that the Court declare that the post-petition payments are not current at this time.

BAYVIEW LOAN SERVICING, LLC,

By: _____

One of its attorneys

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